

This instrument prepared by:

Joseph D. Neyman, Jr. – MS Bar #10399
Smith Phillips Mitchell Scott & Nowak, LLP
2545 Caffey St.
Hernando, MS 38632
662-429-5041

GRANTOR(S): BENTON E. SCOTT, & WIFE, SHARON F. SCOTT

GRANTOR(S) ADDRESS & PHONE:

295 Malone Rd S
Hernando MS 38632
Home Phone: 901-277-7613
Business Phone: N/A

GRANTEE(S): DESOTO COUNTY, MISSISSIPPI

GRANTEE(S) ADDRESS & PHONE:

365 Loshier St.
Hernando, MS 38632
Home Phone: N/A
Business Phone: 662-429-5011

INDEXING INSTRUCTIONS: 1.03 acres, more or less, in the Northeast Quarter of Section 3, Township 3 South, Range 7 West, DeSoto County, Mississippi

TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of the sum of \$10.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, We, BENTON E. SCOTT, and wife, SHARON F. SCOTT, do hereby grant and convey a temporary construction easement to DESOTO COUNTY, MISSISSIPPI its employees, agents, contractors, and cooperation parties, such as the Natural Resources Conversation Service of the United States Department of Agriculture, with the right to enter upon the following described lands as a construction and work area, including the right to move, store, and remove equipment and supplies, and to perform any other work necessary and incident to the improving of drainage ditches, together with the right to grade land, install rip rap or similar materials, trim, cut, fell and remove therefrom all snags, trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement:

Commencing at the Northeast corner of Section 3, Township 3 South, Range 7 West, in DeSoto County, Mississippi, thence South along the centerline of Malone Road a distance of 1528.20 feet to a Point of Beginning; thence a strip of land 75 feet on both sides of existing ditch and extending downstream in a southwesterly direction a distance of 300 feet for the purpose of Demonstration Erosion Control project containing 1.03 acres, more or less. Said property lying in the Northeast Quarter.

By way of explanation, Grantors own a portion of the above described property and grant and convey the temporary easement to Grantee with regard to any and all interest they have in the above described property. It is understood that under Mississippi Law in the event a portion of Grantor's property suffers damage caused by Grantee, it agents or assigns, during the course of this project the Grantee will be required to return the damaged portion to the same condition as it was prior to the damage. We fully understand that we have the right to receive just compensation for the real property herein described based on an appraisal of said property. We hereby waive our right to just

compensation and donate the real property herein described to DeSoto County, Mississippi. We further understand that we have the right to request that a fair market value appraisal of the property be made and we hereby waive that right.

The temporary construction easement shall last for two years or until the completion of the project, whichever comes first.

WITNESS OUR SIGNATURES, on the dates as set forth below.

Benton E. Scott
BENTON E. SCOTT
Dated: 6-9-10

Sharon F. Scott
SHARON F. SCOTT
Dated: 6-9-10

STATE OF Mississippi
COUNTY OF DeSoto

This day, personally appeared before me, the undersigned authority in and for said county and state, the above named BENTON E. SCOTT, who acknowledged that he signed and delivered the above and foregoing easement on the day and year therein mentioned as his free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office, this the 9th day of June, 2010.



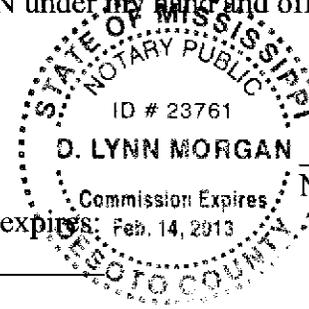
D. Lynn Morgan
Notary Public

My commission expires _____

STATE OF Mississippi
COUNTY OF DeSoto

This day, personally appeared before me, the undersigned authority in and for said county and state, the above named SHARON F. SCOTT, who acknowledged that she signed and delivered the above and foregoing easement on the day and year therein mentioned as her free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office, this the 9th day of June, 2010.



D. Lynn Morgan
Notary Public

My commission expires _____